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Sharon L. Tabor
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Attorney Docket No. 741890-23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of:)
Martin CALDWELL et al.) Confirmation No. 4375
Application No. 10/048,165) Group Art Unit: 3731
Filed: January 29, 2002) Examiner: Bradford C. Pantuck
For: A SURGICAL ACCESS DEVICE)

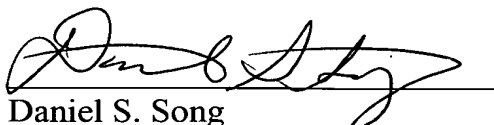
**ASSERTION OF SMALL ENTITY STATUS
(37 C.F.R. §1.27(c)(1))**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby states that applicant is a small entity and that status as a small entity is asserted for this application.

Respectfully submitted,


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